

IN THE UNITED STATES DISTRICT COURT
FOR DISTRICT OF SOUTH CAROLINA

Kenneth Rivera,

Plaintiff,

v.

Kanzora Robinson, Ms. Eady, Sandra Bowie,
Ms. L. Snow,

Defendants.

C/A No. 8:24-cv-5292-SAL

ORDER

Kenneth Rivera (“Plaintiff”), a pro se litigant proceeding *in forma pauperis*, filed this action in state court against the named defendants (“Defendants”), who removed it to this court. This matter is before the court on the Report and Recommendation (“Report”) by United States Magistrate Judge Thomas E. Rogers, III, who reviewed this case pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). [ECF No. 11]. The magistrate judge recommends that this action be summarily dismissed without leave to amend. As set forth in the sixteen-page Report, there are a number of reasons why Plaintiff’s claims for injunctive, declaratory, and monetary relief should be dismissed. Attached to the Report was a notice advising Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. *Id.* at 17. Plaintiff has not filed objections, and the time for doing so has expired.

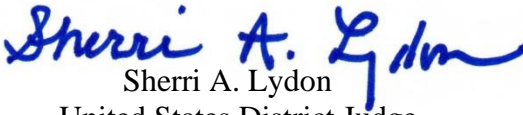
The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1).

In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After reviewing the Report, the applicable law, and the record of this case in accordance with the above standard, the Court finds no clear error, adopts the Report, ECF No. 11, and incorporates it by reference herein. As a result, this matter is **SUMMARILY DISMISSED without leave to amend.**

IT IS SO ORDERED.

December 3, 2024
Columbia, South Carolina


Sherri A. Lydon
United States District Judge